

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 4083 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE A.M.KAPADIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the concerned Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals? : NO

M/S MOHANLAL DAHYABHAI & SONS

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 4083 of 1999
MR BP GUPTA for Petitioner No. 1-3
MS. NANDINI JOSHI APP for Respondent No. 1
MR KB ANANDJIWALA for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE A.M.KAPADIA

Date of decision: 05/09/2003

ORAL JUDGEMENT

Mr. B.P. Gupta, learned advocate for the petitioners, states that the Investigating Officer who is investigating Inquiry Case No.42 of 1999 has submitted

'C' summary report to the concerned Magistrate. He, therefore, seeks leave to withdraw the petition. Ms. Nandini Joshi, learned APP who is appearing on behalf of respondent No.1 - State and Mr. KB Anandjiwala, learned advocate who is appearing on behalf of the respondent No.2, have no objection if leave to withdraw the petition as prayed for is granted. Hence, leave to withdraw the petition is granted. The petition stands rejected as it is withdrawn. It would be open for the concerned Magistrate to decide the report submitted by the Investigating Officer after hearing the original complainant, i.e., respondent No.2 in accordance with law. As the matter is very old, the learned Magistrate is directed to expedite the matter. Rule is discharged. Ad-interim relief granted earlier which was modified subsequently shall stand vacated.

(A.M. Kapadia, J.)

(karan)